



Entered on Docket
January 19, 2007

Hon. Linda B. Riegler
United States Bankruptcy Judge

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*Attorneys for the Official Committee of Equity Security
Holders of USA Capital Diversified Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

In re:
USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

In re:
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,
Debtor.

Case No. BK-S-06-10725 LBR
Case No. BK-S-06-10726 LBR
Case No. BK-S-06-10727 LBR
Case No. BK-S-06-10728 LBR
Case No. BK-S-06-10729 LBR

Chapter 11

Jointly Administered Under
Case No. BK-S-06-10725-LBR

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,
Debtor.

In re:
USA SECURITIES, LLC,
Debtor.

Affects:
☒ All Debtors
☐ USA Commercial Mortgage Company
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA First Trust Deed Fund, LLC

**ORDER REQUIRING MICHAEL ZITO
TO APPEAR FOR EXAMINATION
PURSUANT TO FEDERAL RULE OF
BANKRUPTCY PROCEDURE 2004**

Upon consideration of the Amended Joint Ex Parte Application of USA Capital Diversified Trust Deed Fund, LLC, and the Official Committee of Equity Security Holders of USA Capital Diversified Trust Deed Fund, LLC, by and through their respective counsel as noted above, for examination of Michael Zito pursuant to Rule 2004(a) of the Federal Rules of Bankruptcy Procedure, no hearing being required, and good cause appearing,

IT IS ORDERED that the Application be, and hereby is, **GRANTED**, and Michael Zito, under Rule 30(b)(6) of the Federal Rules of Civil Procedure, shall appear pursuant to Bankruptcy Rule 2004(a) on **February 16, 2007, at 11:00 o'clock a.m. Mountain Standard Time**, at the Residence Inn By Marriott, 3440 North Country Club Drive, Flagstaff, Arizona 86004 to be examined under oath in relation to the following matters:

Acts, conduct or property of Diversified and the other debtors in the above-captioned bankruptcy cases (collectively, the "Debtors"), or to any matter which may affect the administration of the Debtors' estates; and acts, conduct, or property of the Debtors that relate to the liabilities and financial condition of the Debtors, the source of any money or property acquired or any other matter relevant to the cases, and specifically including the obligation owed to Debtors by BySynergy, LLC, collateral securing that obligation, the status of development of the collateral, and other liens on the collateral.

Such examination shall continue until completed.

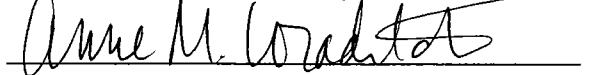
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Prepared and respectfully submitted by:

BECKLEY SINGLETON, CHTD.



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